

106TH CONGRESS
2D SESSION

S. 3203

To make certain corrections in copyright law.

IN THE SENATE OF THE UNITED STATES

OCTOBER 12 (legislative day, SEPTEMBER 22), 2000

Mr. HATCH introduced the following bill; which was read twice and referred
to the Committee on the Judiciary

A BILL

To make certain corrections in copyright law.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Work Made For Hire
5 and Copyright Corrections Act of 2000”.

6 **SEC. 2. WORK MADE FOR HIRE.**

7 (a) DEFINITION.—The definition of “work made for
8 hire” contained in section 101 of title 17, United States
9 Code, is amended—

10 (1) in paragraph (2), by striking “as a sound
11 recording,”; and

1 (2) by inserting after paragraph (2) the fol-
2 lowing:

3 “In determining whether any work is eligible to be
4 considered a work made for hire under paragraph
5 (2), neither the amendment contained in section
6 1011(d) of the Intellectual Property and Commu-
7 nications Omnibus Reform Act of 1999, as enacted
8 by section 1000(a)(9) of Public Law 106–113, nor
9 the deletion of the words added by that
10 amendment—

11 “(A) shall be considered or otherwise given
12 any legal significance, or

13 “(B) shall be interpreted to indicate con-
14 gressional approval or disapproval of, or acqui-
15 escence in, any judicial determination,

16 by the courts or the Copyright Office. Paragraph (2)
17 shall be interpreted as if both section 2(a)(1) of the
18 Work Made For Hire and Copyright Corrections Act
19 of 2000 and section 1011(d) of the Intellectual
20 Property and Communications Omnibus Reform Act
21 of 1999, as enacted by section 1000(a)(9) of Public
22 Law 106–113, were never enacted, and without re-
23 gard to any inaction or awareness by the Congress
24 at any time of any judicial determinations.”.

25 (b) EFFECTIVE DATE.—

1 (1) EFFECTIVE DATE.—The amendments made
2 by this section shall be effective as of November 29,
3 1999.

4 (2) SEVERABILITY.—If the provisions of para-
5 graph (1), or any application of such provisions to
6 any person or circumstance, is held to be invalid, the
7 remainder of this section, the amendments made by
8 this section, and the application of this section to
9 any other person or circumstance shall not be af-
10 fected by such invalidation.

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